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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/543,121	07/22/2005	Gilbert Bouquet	62723A	4365
109	7590	01/26/2009		
The Dow Chemical Company			EXAMINER	
Intellectual Property Section			ZEMEL, IRINA SOPJIA	
P.O. Box 1967				
Midland, MI 48641-1967			ART UNIT	PAPER NUMBER
			1796	
			MAIL DATE	DELIVERY MODE
			01/26/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* GILBERT BAUQUET and RONY S. VANSPEYBROECK

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Application 10/543,121  
Technology Center 1700

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Mailed: January 26, 2009

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Before, MARIA VIGNONE, *Supervisory Trial Clerk*.

VIGNONE, *Supervisory Trial Clerk*.

**ORDER RETURNING UNDOCKETED APPEAL**

This application was electronically received by the Board of Patent Appeals and Interferences on December 16, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

**EXAMINER'S ANSWER, MISSING SIGNATURES**

An appeal conference is mandatory in all cases in which an acceptable appeal brief has been filed and a determination to move forward on appeal has been made. The participants of the appeal conference should include (1) the examiner charged with preparation of the examiner's answer, (2) a supervisory patent examiner (SPE), and (3) another examiner, known as a conferee, having sufficient experience to be of assistance in the consideration of the merits of the issues on appeal. On the examiner's answer, below the primary examiner's signature, the word "Conferees:" should be included, followed by the typed or printed names of the other two appeal conference participants. These two appeal conference participants must place their initials next to their name. The answer must also include the signature of a TC Director or designee to indicate that he or she approves any new grounds of rejection, if presented.

A review of the file finds that the examiner's answer is missing either at least one typed/ printed name of the appeal conference participants and/or is missing at least one initial or signature to make the record clear the appeal conference was held in accordance with MPEP § 1207.01. More specifically, the Examiner neglected to sign the Examiner's Answer. Therefore, correction is required.

Accordingly, it is **ORDERED** that the application is returned to the Examiner:

- 1) provide an Amended Examiner's Answer signed by the Examiner and two conferees; and
- 2) for such further action as may be required.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

MTV

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